

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.03.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.32185 of 2018
and
W.M.P.Nos.37438 & 37439 of 2018

R.Mayavel

..Petitioner

..vs..

The District Manager/Deputy Collector,
Tamil Nadu State Marketing Corporation Ltd., (TASMAC)
Cuddalore District, Cuddalore - 5. ..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the respondent herein in proceedings No. i)Na.Ka.No.RV-1/3081/2477/2016 dated 01.2017 signed on 31.01.2017, ii) Na.Ka.No.RV-1/3017/2477/2016 dated 02.2017 signed on 04.02.2017, iii) RV-1/3081/2477/2018 dated 10.10.2018 and to quash the same and to direct the respondent to forthwith pay the subsistence allowance along with the arrears of monthly pay from January 2017 till the date of actual payment.

For Petitioner : Mr.P.Kumaravel

For Respondents : Mr.K.Sathish Kumar

O R D E R

The charge memo as well as the appointment of an Enquiry Officer are under challenge in the present writ petition.

2. The learned appearing on behalf of the respondent made a submission that on account of the serious allegations, the enquiry was conducted and the writ petitioner was removed from service in Proceedings dated 05.12.2018. Challenging the said order of removal, the writ petitioner has filed another writ petition, which is pending before this Court.

3. Thus, the grounds raised in the present writ petition can be raised in the other writ petition, for the purpose of adjudication. However, the present writ petition challenging the

charge memo as well as the appointment of an Enquiry Officer became infructuous, as the final orders in the disciplinary proceedings had already been passed and the major penalty of removal from service was imposed.

4. Accordingly, the writ petition stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

Pns

To

The District Manager/Deputy Collector,
Tamil Nadu State Marketing Corporation Ltd., (TASMAC)
Cuddalore District, Cuddalore - 5.

+1 cc to Mr.K.Sathish Kumar, Advocate, S.R.No.29645

+1 cc to Mr.M.Ravi, Advocate, S.R.No.30325

W.P.No.32185 of 2018
and

W.M.P.Nos.37438 & 37439 of 2018

JP (CO)
SSM(23/04/2019).



WEB COPY